



General Assembly

February Session, 2010

***Raised Bill No. 174***

LCO No. 873

\*00873\_\_\_\_\_CE\_\*

Referred to Committee on Commerce

Introduced by:  
(CE)

***AN ACT CONCERNING THE STANDARDS OF WATER QUALITY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-426 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) The Commissioner of Environmental Protection shall adopt, and  
4 may thereafter amend, standards of water quality applicable to the  
5 various waters of the state or portions thereof [as provided in this  
6 section] in accordance with the provisions of chapter 54. Such  
7 standards shall be consistent with the federal Water Pollution Control  
8 Act and shall be for the purpose of qualifying the state and its  
9 municipalities for available federal grants and for the purpose of  
10 providing clear and objective public policy statements of a general  
11 program to improve the water resources of the state; provided no  
12 standard of water quality adopted shall plan for, encourage or permit  
13 any wastes to be discharged into any of the waters of the state without  
14 having first received the treatment available and necessary for the  
15 elimination of pollution. Such standards of quality shall: (1) Apply to  
16 interstate waters or portions thereof within the state; (2) apply to such

17 other waters within the state as the commissioner may determine is  
18 necessary; (3) protect the public health and welfare and promote the  
19 economic development of the state; (4) preserve and enhance the  
20 quality of state waters for present and prospective future use for public  
21 water supplies, propagation of fish and aquatic life and wildlife,  
22 recreational purposes and agricultural, industrial and other legitimate  
23 uses; (5) be consistent with health standards as established by the  
24 Department of Public Health. Any documentation that forms the basis  
25 for the standards sought to be adopted, amended or repealed shall be  
26 available to the public no later than sixty days prior to the date of the  
27 public notice required under section 4-168.

28 [(b) Prior to adopting, amending or repealing standards of water  
29 quality, the commissioner shall conduct a public hearing. Notice of  
30 such hearing specifying the waters for which standards are sought to  
31 be adopted, amended or repealed and the time, date and place of such  
32 hearing shall be published as provided in said subdivision (1) of  
33 section 22a-6 and also at least twice during the thirty-day period  
34 preceding the date of the hearing in a newspaper having a general  
35 circulation in the area affected and shall be given by certified mail to  
36 the chief executive officer of each municipality in such area. Prior to  
37 the hearing the commissioner shall make available to any interested  
38 person any information he has as to the water which is the subject of  
39 the hearing and the standards under consideration, and shall afford to  
40 any interested person the opportunity to submit to him any written  
41 material. At the hearing, any person shall have the right to make a  
42 written or oral presentation. A full transcript or recording of each  
43 hearing shall be made and kept available in the files of the Department  
44 of Environmental Protection.]

45 [(c)] (b) The commissioner shall establish the effective date of the  
46 adoption, amendment or repeal of standards of water quality, subject  
47 to the provisions of subdivision (1) of section 22a-6. Notice of such  
48 adoption, amendment or repeal shall be published in the Connecticut  
49 Law Journal upon acceptance thereof by the federal government.

50        [(d)] (c) The commissioner shall monitor the quality of the subject  
51        waters to demonstrate the results of his program to abate pollution.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2010</i>	22a-426
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***Statement of Purpose:***

To require that all proposed changes to water quality standards undergo the rulemaking procedures and notice and comment requirements set forth in chapter 54 of the Connecticut general statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*